



90 Canal Street, 10th, MA 02114-2031



VANTAGE
THE VANTAGE GROUP, INC

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FACSIMILE TRANSMISSION

From the Office of: **HARRY S. MELIKIAN**
EXECUTIVE VICE-PRESIDENT

Date: *JUNE 15, 2000*
To: *JAY KLEISTER, ESQUIRE*
Facsimile Number: *(873) 281-0943*
Number of Pages (including cover sheet): *2*

Special Message/Instructions: _____
JAY - I UNDERSTAND THAT LARRY LYON
LEAVE YOU A MESSAGE. PLEASE FEEL
FREE TO CALL ME WITH ANY
QUESTIONS YOU MAY HAVE REGARDING
PROBOPING.

If you have a problem with this transmission, please call me at (617) 878-6037.

SHC 04604

www.vantagetravel.com

Vantage

SHC - Col. (US Postal Inspector)
Imp. Chet. - Iowa (US Postal Inspector)

90 Canal Street Boston, MA 02114-2031

VIA FACSIMILE

June 15, 2000

(813)-281-0943



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Mr. Jay Fleisher, Esquire
Managing Attorney
Shriners Hospital for Children
P.O. Box 31356
Tampa, FL 33631

Re: United States Postal Inspection Service

Dear Mr. Fleisher:

You may recently have received a letter from the Northeast Division of the United States Postal Inspection Service ("Postal Service") entitled "Request for Information" concerning a civil action in which it is participating with the office of the United States Attorney in federal court in Boston.

That letter contains several errors of fact and assertions of law which are misleading and may cause you unnecessary concern with respect to your own organization's rights and obligations. The purpose of my letter to you is to give you Vantage's side of a complicated and, as yet, unresolved legal issue concerning the rights of non-profit organizations to use a certain mailing rate, and to tell you that you are under no obligation whatsoever to respond to the request for information sent to you by the Postal Service.

First, the lawsuit to which the Postal Service letter refers was not filed by the United States Attorney's Office. Rather that office, under a legally controversial procedure familiarly known as "the whistleblower statute," is participating in a civil action filed by a former employee of Vantage. Most importantly, the lawsuit in question allows a traditional procedure by which the documents of the sort requested in the "Request for Information" can be sought under court supervision and without necessarily the burdensome detail requested by the Postal Service letter.

Second, Vantage is contesting in court several fundamental issues including the right of the Postal Service (a quasi-private corporation) to use the whistleblower statute, the constitutionality of that statute, and the correct meaning and application of the cooperative mailing rule in dispute in this action. Until the court rules, the Postal Services' position is simply a contention disputed by Vantage. The case has just begun and the courts have not yet ruled on these issues.

Consequently, Vantage wishes to advise you that you are under absolutely no legal compulsion to respond in any way to the Postal Service letter. If you or your counsel have any questions concerning your obligations in this matter at this time or, more accurately, the lack of any obligation by you in this matter, I suggest that you call me or our attorneys, Morris M. Goldings, Esquire or Brian W. LeClair, Esquire, at Mahoney, Hawkes & Goldings, LLP at 617-457-3100.

Sincerely,


Harry S. Melikian
Executive Vice President

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